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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,685	08/03/2006	Udo Baumgaertner	NEX0101PUSA	4866

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EXAMINER	
RAPP, CHAD	

ART UNIT	PAPER NUMBER
2125	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/597,685	BAUMGAERTNER ET AL.	
	Examiner	Art Unit	
	Chad Rapp	2125	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 August 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *8/3/06*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

1. Claims 1-18 are presented for examination.

Specification

2. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

3. As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

(a) TITLE OF THE INVENTION.
(b) CROSS-REFERENCE TO RELATED APPLICATIONS.
(c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
(d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
(e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
(f) BACKGROUND OF THE INVENTION.
    (1) Field of the Invention.
    (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
(g) BRIEF SUMMARY OF THE INVENTION.
(h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
(i) DETAILED DESCRIPTION OF THE INVENTION.
(j) CLAIM OR CLAIMS (commencing on a separate sheet).
(k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
(l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claim 1, line 6 “the pole” should be changed to "a pole".

As to claim 1, lines 6-7 “the electrical power line system” should be changed to “an electrical power line system”.

As to claim 1 line 8, “the room module(s)” should be changed to “room module(s)”.

As to claim 5, line 2 “the central module” should be changed to “ a central module”.

As to claim 6, lines 4-5 “the central module” should be changed to “ a central module”.

As to claim 8, line 2 “the outside world” should be changed to “outside world”.

As to claim 9, line 2 “the central module” should be changed to “ a central module”.

As to claim 10, line 2 “the central module” should be changed to “ a central module”.

As to claim 10, line 2 “the outside world” should be changed to “outside world”.

As to claim 11, lines 5-6 “the pole” should be changed to "a pole".

As to claim 11, line 6 “the electrical power line system” should be changed to “an electrical power line system”.

As to claim 16, line 2 “the outside world” should be changed to “outside world”.

As to claim 17, line 1 “the central module” should be changed to “ a central module”.

As to claim 18, line 1 “the central module” should be changed to “ a central module”.

As to claim 18, line 2 "the outside world" should be changed to "outside world".

Claim Rejections - 35 USC § 103

6 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Geiwitz in view of Froehling et al.

Geiwitz teaches the claimed invention (claim 1) substantially as claimed including a device for automating building services and possibly safety monitoring of a building, of an industrial plant, of a building and/or plant complex or a working unit comprising:

a. At least one room is taught as an industrial and commercial buildings as well as residential dwellings(0005);

b. Characterized in that a monitoring and/or measuring and/or closed-loop control and/or open-loop control module with integrated sensor system is taught as a system platform that receives analog inputs from sensor devices for monitoring building environments. Multiple inputs are from motion detectors, gas sensors, pressure sensors and temperature sensors(0011 and 0084);

c. One or more electrical power terminal/power terminals having no more than the poles of the electrical power line system each is provided for the or each room is taught as

automation and control of lighting and electrical outlets. Relays can comprise single pole single throw or single pole double throw(0002 and 0087).

Geiwitz teaches the above listed details of the independent claim 1, however, Geiwitz does not teach: a data bus connection between the room module(s) and a higher-level monitoring and/or measuring and/or closed-loop control and/or open-loop control module.

Froehling et al. teaches:

a. A data bus connection between the room module(s) and a higher-level monitoring and/or measuring and/or closed-loop control and/or open-loop control module is taught as the field interface mean(room module) is connected on a communications section to a headend controller(higher level)(col. 17 lines 43-46).

It would have been obvious to one of ordinary skill in the art at the time the invention was made or used to modify the teachings of Geiwitz with the teachings of Froehling et al. because the headend unit, the higher level control, is adapted to control and monitor several hundred or even several thousand data points within the building system. This allows the system to centralize all the information from the multiple rooms or buildings in one location for processing.

As to claim 2, Geiwitz teaches characterized in that the room module is provided with integrated sensor for temperature and/or brightness and/or air composition, particularly concentration of CO2, other gases or smoke, and/or movement in the room is taught as multiple inputs are from motion detectors, gas sensors, pressure sensors and temperature sensors0084).

As to claim 3, Geiwitz teaches characterized in that at least one power terminal of the room module can be controlled on/off is taught as the user can control the status of a particular power outlet by selecting the outlet , then choosing on or off(0151).

As to claim 4, Geiwitz teaches characterized in that the output voltage of at least one power terminal of the room module can be regulated and/or controlled continuously or in steps is taught as outlet scheduling list the system programmed events for an outlet(0177).

As to claim 5, Froehling et al. teaches characterized in that the room module(s) is/are on a data bus with the central module is taught as the field interface mean(room module) is connected on a communications section to a headend controller(higher level)(col. 17 lines 43-46).

It would have been obvious to one of ordinary skill in the art at the time the invention was made or used to modify the teachings of Geiwitz with the teachings of Froehling et al. because the headend unit, the higher level control, is adapted to control and monitor several hundred or even several thousand data points within the building system. This allows the system to centralize all the information from the multiple rooms or buildings in one location for processing.

As to claim 6, Froehling et al. teaches:

a. Characterized in that at least two room modules are on a data bus with a higher-level monitoring and/or measuring and/or closed-loop control and/or open-loop control module is taught as the field interface mean(room module) is connected on a communications section to a headend controller(higher level)(col. 17 lines 43-46).

b. At least two distributor modules are on a data bus with the central module is taught as a plurality of system controllers connected to headend(col. 10 lines 37-42).

It would have been obvious to one of ordinary skill in the art at the time the invention was made or used to modify the teachings of Geiwitz with the teachings of Froehling et al. because the headend unit, the higher level control, is adapted to control and monitor several hundred or even several thousand data points within the building system. This allows the system to centralize all the information from the multiple rooms or buildings in one location for processing.

As to claim 7, Froehling et al. teaches characterized in that the distributor modules are programmable is taught as programming the controller(col. 26 lines 48-51).

It would have been obvious to one of ordinary skill in the art at the time the invention was made or used to modify the teachings of Geiwitz with the teachings of Froehling et al. because the programming of the controller allows the system to be more flexible when adding new or additional or deleting equipment of the building automation system.

As to claim 8, Geiwitz teaches characterized in that at least one distributor module communicates with the outside world is taught as system can upload or download information through high speed Internet connection(0077).

As to claim 9, Geiwitz teaches characterized in that the central module is programmable is taught as smart card is programmable(0073).

As to claim 10, Geiwitz teaches characterized in that the central module communicates with the outside world is taught as smart card is programmable remotely(0073).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 11-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Geiwitz in view of Froehling et al.

Geiwitz teaches the claimed invention (claim 11) substantially as claimed including a device for automating building services and possibly safety monitoring of a building, of an industrial plant, of a building and/or plant complex or of a working unit comprising:

a. A number of rooms is taught as an industrial and commercial buildings as well as residential dwellings(0005);

b. A monitoring and/or measuring and/or closed-loop control and/or open-loop control module with integrated sensor system is taught as a system platform that receives analog inputs from sensor device for monitoring building environments. Multiple inputs are from motion detectors, gas sensors, pressure sensors and temperature sensors(0011 and 0084);

c. One or more electrical power terminal/power terminals having no more than the poles of the electrical power line system each is provided for each room is taught as automation and control of lighting and electrical outlets. Relays can comprise single pole single throw or single pole double throw(0002, 0087).

Geiwitz teaches the above listed details of the independent claim 11, however, Geiwitz does not teach: wherein at least two room modules are on a data bus with a higher-level:

monitoring and/or measuring and/or closed-loop control and/or open-loop control and at least two distributor modules are on one data bus with a higher-level monitoring and/or measuring and/or closed-loop control and/or open-loop control module.

Froehling et al. teaches:

a. Wherein at least two room modules are on a data bus with a higher-level :monitoring and/or measuring and/or closed-loop control and/or open-loop control is taught as the field interface mean(room module) is connected on a communications section to a headend controller(higher level).

b. At least two distributor modules are on one data bus with a higher-level monitoring and/or measuring and/or closed-loop control and/or open-loop control module is taught as the field interface mean(room module)s is connected on c communications section to headend controller(higher level) and is taught as a plurality of system controllers connected to headend(col. 10 lines 37-42 and col. 17 lines 43-46)).

It would have been obvious to one of ordinary skill in the art at the time the invention was made or used to modify the teachings of Geiwitz with the teachings of Froehling et al. because the headend unit, the higher level control, is adapted to control and monitor several hundred or even several thousand data points within the building system. This allows the system to centralize all the information from the multiple rooms or buildings in one location for processing.

As to claim 12, Geiwitz teaches characterized in that the room module is provided with integrated sensor system for temperature and/or brightness and/or air composition, particularly

concentration of CO2, other gases or smoke, and/or movement in the room is taught as multiple inputs are from motion detectors, gas sensors, pressure sensors and temperature sensors(0084).

As to claim 13, Geiwitz teaches wherein at least one power terminal of the room module can be controlled on/off is taught as the user can control the status of a particular power outlet by selecting the outlet , then choosing on or off(0151).

As to claim 14, Geiwitz teaches wherein the output voltage of at least one power terminal of the room module can be regulated and/or controlled continuously or in steps is taught as outlet scheduling lists the system programmed events for an outlet(0177).

As to claim 15, Froehling et al. teaches wherein the distributor modules are programmable is taught as programming the controller(col. 26 lines 48-51).

It would have been obvious to one of ordinary skill in the art at the time the invention was made or used to modify the teachings of Geiwitz with the teachings of Froehling et al. because the programming of the controller allows the system to be more flexible when adding new or additional or deleting equipment of the building automation system.

As to claim 16, Geiwitz teaches wherein at least one distributor module communicates with the outside world is taught as system can upload or download information through high speed Internet connection(0077).

As to claim 17, Geiwitz teaches wherein the central module is programmable is taught as smart card is programmable(0073).

As to claim 18, Geiwitz teaches wherein the central module communicates with the outside world is taught as smart card is programmable remotely(0073).

Conclusion

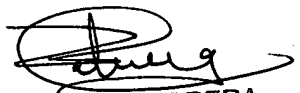
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Rapp whose telephone number is (571)272-3752. The examiner can normally be reached on Mon-Fri 11:00-7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Rodriguez can be reached on (571)272-3753. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Chad Rapp
Examiner
Art Unit 2125

cjr



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1/4/07